

Application Serial No. 09/998,333
Amendment dated November 11, 2004
Office Action mailed August 11, 2004

Amendment to the Specification

Please replace paragraph on page 13, line 10 with the following amended sentence:

Other tumor gene determinants may include genes involved in DNA repair, whose expression levels prognosticate the effectiveness of genotoxic chemotherapeutic agents.

Alternatively, as shown in pending applications 09/877,178 and ~~applications~~ 09/988,784

~~09/_____ (to be assigned)(filed on November 20, 2001)~~(both hereby incorporated by reference in their entirety) *ERCC1* expression level can prognosticate the effectiveness of a genotoxic based chemotherapy.